

# HOUSE . . . . . No. 1262

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By Mr. Walsh of Lynn, petition of Steven M. Walsh relative to the pricing of college textbooks. Higher Education.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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AN ACT RELATIVE TO THE PRODUCTION AND PRICING OF COLLEGE TEXTBOOKS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 15A of the General Laws is hereby  
2 amended by inserting after section 31 the following section:—

3 Section 31A. Provide High Quality Materials That Are Afford-  
4 able.

5 (a) Textbook publishers who sell textbooks within the system  
6 shall provide students with the option of buying materials that are  
7 “unbundled,” disclose to faculty the cost to students of purchasing  
8 textbooks, and disclose to faculty how the new edition is different  
9 from previous editions.

10 (b) All faculty members of institutions within the system shall  
11 consider the least costly practices in assigning textbooks when  
12 these practices are educationally sound, as determined by the  
13 appropriate faculty.

14 (c) All college and university bookstores of the system shall  
15 work with faculty to review timelines and processes involved in  
16 ordering and stocking selected textbooks, disclose textbook costs  
17 to faculty and students, and actively promote and publicize book  
18 buyback programs.

1 SECTION 2. Textbook Publisher Requirements.

2 (a) “Unbundle” the instruction materials to give students the  
3 option of buying textbooks, CD-ROMs, and workbooks without  
4 additional materials.

5 (b) Provide all of the following information to faculty and  
6 departments when they are considering what textbooks to order,

7 and post both of the following information on publishers' Web  
8 sites where it is easily accessible:

9 (1) A list of all the different products they sell, including both  
10 bundled and unbundled options, and the net price of each product.

11 (2) An explanation of how the newest edition is different from  
12 previous editions.

13 (3) Give preference to paper or online supplements to current  
14 editions rather than producing entirely new editions.

15 (4) Disclose to faculty the length of time they intend to produce  
16 the current edition so that professors know how long they can use  
17 the same book.

18 (5) Provide to faculty a free copy of each textbook selected by  
19 faculty for use in the classroom for placement on reserve in the  
20 campus library.

1 SECTION 3. University Requirements.

2 (a) Encourage faculty to give consideration to the least costly  
3 practices in assigning textbooks, varying by discipline, such as  
4 adopting the least expensive edition when the educational content  
5 is equal, and using a selected textbook as long as it is education-  
6 ally sound, as determined by the appropriate faculty.

7 (b) Encourage faculty to disclose both of the following to stu-  
8 dents:

9 (1) How new editions of textbooks are different from the pre-  
10 vious editions.

11 (2) The cost to students for textbooks selected for use in each  
12 course.

13 (C) Review procedures for faculty to inform college and uni-  
14 versity bookstores of textbook selections.

15 (D) Encourage faculty to work closely with publishers and col-  
16 lege and university bookstores in creating bundles and packages if  
17 they are economically sound and deliver cost savings to students,  
18 and if bundles and packages have been requested by faculty. Stu-  
19 dents should have the option of purchasing textbooks and other  
20 instructional materials that are "unbundled."

21 (2) All college and university bookstores within the system  
22 shall work with the academic senates of each respective campus to  
23 do both of the following:

24 (A) Review issues relative to timelines and processes involved  
25 in ordering and stocking selected textbooks.

26 (B) Work closely with faculty or publishers, or both, to create  
27 bundles and packages that are economically sound and deliver  
28 cost savings to students.

29 (3) Encourage college and university bookstores to disclose  
30 retail textbook costs, on a per course basis, to faculty, and make  
31 this information otherwise publicly available.

32 (4) Encourage campuses to provide as many forums for stu-  
33 dents to have access to as many used books as possible, including,  
34 but not necessarily limited to, all of the following:

35 (A) Encouraging students to consider on-campus and online  
36 book swaps so that students may buy and sell used books and set  
37 their own prices.

38 (B) Encouraging students to consider student book lending pro-  
39 grams.

40 (C) Encouraging college and university bookstores that offer  
41 book buyback programs to actively promote and publicize these  
42 programs.